

00766.000091.10

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Prior Examiner: Rita Mitra
KENNETH JACOBS, ET AL.)	
	:	Prior Group Art Unit: 1653
Application No.: Not Yet Assigned)	
	:	
Filed: Concurrently Herewith)	
	:	
For: SECRETED PROTEIN AND)	
POLYNUCLEOTIDES	:	
ENCODING THEM)	October 21, 2003

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**This application is a continuation of
Application No. 09/746,783**

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed below and on the enclosed Form PTO-1449.

WO 98/56909

Intelligenetics Database, FastDB- Fast
pairwise comparison of sequences, X77584.

Intelligenetics Database, FastDB- Fast pairwise
comparison of sequences, X54539.

Ayala et al., Modern Genetics, Glossary, The
Benjamin/Cummings Publishing Company, Inc.

Agostino et al. "Human adult testis secreted protein
fq505_4 cDNA", Database: N_Geneseq_032802,
Accession NO: AAV99731, June 11, 1997.

Agostino et al. "Human adult testis secreted protein
fq505_4", Database: A_Geneseq_032802, Accession
NO: AAW95351, June 11, 1997.

Each of the above documents was cited in parent Application No.
09/746,783 and might be deemed pertinent for the reasons given therein. The Examiner is
respectfully directed to the Patent and Trademark Office files for review of the documents
cited in the parent application. See MPEP § 609.

Inasmuch as the subject application has not yet received a first Office
Action, it is believed that this Information Disclosure Statement is timely. See 37 C.F.R.
1.97(b)(3). Accordingly, the Examiner is urged to study this information in its entirety and
to form an independent determination of the materiality of the information to the claimed
invention. Additionally, the Examiner is requested to indicate that this information has
been considered by initialing the appropriate portion of the Form PTO-1449.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office by telephone at (714) 540-8700. All correspondence should continue to
be directed to our address given below.

Respectfully submitted,


Attorney for Applicants

Registration No. 54,336

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				ATTY DOCKET NO. 00766.000091.10		APPLICATION NO. Not Yet Assigned	
				APPLICANT KENNETH JACOBS, ET AL.			
				FILING DATE Concurrently Herewith		GROUP Not Yet Assigned	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
		WO 98/56909	12/1998	PCT			
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Intelligenetics Database, FastDB- Fast pairwise comparison of sequences, X77584.					
		Inteligenetics Database, FastDB- Fast pairwise comparison of sequences, X54539.					
		Ayala et al., Modern Genetics, Glossary, The Benjamin/Cummings Publishing Company, Inc.					
		Agostino et al. "Human adult testis secreted protein fq505_4 cDNA", Database: N_Geneseq_032802, Accession NO: AAV99731, June 11, 1997.					
		Agostino et al. "Human adult testis secreted protein fq505_4", Database: A_Geneseq_032802, Accession NO: AAW95351, June 11, 1997.					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Sheet 1 of 1